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TO:	FROM:
Examiner Ji Yong David Chung	Benjamin S. Withrow

COMPANY:	DATE:
USPTO – Art Unit 2143	8/3/2006

FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
571-273-8300	22

PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
	7000-084

RE:	YOUR REFERENCE NUMBER:
Revised Appeal Brief	10/036,247

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ ORIGINAL TO FOLLOW

NOTES/COMMENTS:

Please find attached the following item(s):

1) Revised Appeal Brief (21 pages).

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Christopher G. Ramsayer et al.   Examiner: Chung, Ji Yong David
Serial No. 10/036,247   Art Unit: 2143
Filed: 12/27/2001
For: **PERSONAL USER AGENT**

Mail Stop Appeal Brief – Patents
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The present **REVISED APPEAL BRIEF** is filed pursuant to 37 C.F.R. § 41.37(c)(1)(v) to address the Notification of Non-Compliant Appeal Brief mailed July 3, 2006 by amending section (5) SUMMARY OF CLAIMED SUBJECT MATTER . Appellant has previously paid for the Appeal Brief, so no new fee should be required. If any additional fees are required in association with this appeal brief, the Director is hereby authorized to charge them to Deposit Account 50-1732, and consider this a petition therefor.

REVISED APPEAL BRIEF

(1) REAL PARTY IN INTEREST

The real party in interest is the assignee of record, i.e., Nortel Networks Limited of 2351 Boulevard Alfred-Nobel, St. Laurent, Quebec Canada H4S 2A9, which is wholly owned by Nortel Networks Corporation, a Canadian corporation.

(2) RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences to the best of Appellant's knowledge.

(3) STATUS OF CLAIMS

Claims 1-8, 10-21, 23-34, and 36-39 were rejected with the rejection made final on August 25, 2005.

Claims 9, 22, and 35 were cancelled.

Claims 1-8, 10-21, 23-34, and 36-39 are pending and are the subject of this appeal.

(4) STATUS OF AMENDMENTS

All amendments have been entered to the best of Appellant's knowledge.

(5) SUMMARY OF CLAIMED SUBJECT MATTER

The present invention relates to a personal user agent 20 acting on behalf of a group of member device agents 18 in a communication network. The personal user agent 20 provides its group of member device agents 18 with a specialized proxy function while representing the group to the network as a single user agent. To devices on the communication network, the personal user agent 20 behaves and is viewed as a user agent. To the group of member device agents 18, the personal user agent 20 behaves and is viewed as both a registrar and a proxy server (Specification, paragraph 0006; Figure 1). Notably, the member device agents 18 are fully functional multimedia devices, such as mobile telephones, personal digital assistants, computers, telephones, and the like. Different member agents 18 may have different multimedia capabilities (Specification, paragraph 0003; Figure 1).

Although the personal user agent 20 understands the make-up and capabilities of the group of member device agents 18, the member device agents 18 need not have knowledge of

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each other or that they are being represented by the personal user agent 20 to non-member devices. The personal user agent 20 is configured to route incoming messages to one or more of the member device agents 18 based on the capabilities of each of the particular member device agents 18 (Specification, paragraph 0007; Figures 1 and 3).

A user may add additional capabilities to a session through the existing member device agent 18, or by adding an additional member device agent 18 to the session. The other user involved in the session may also add media to the session by sending a message to the personal user agent 20 requesting additional media to be added to the session. The personal user agent 20 will determine if an additional member device agent 18 needs to be brought into the session based upon which member device agent 18 is preferred for the requested media type and establish the session with the additional member device or the existing device. (See Specification, paragraphs 0009 and 0045-0048; Figure 4).

In particular, claim 1 recites a system for providing a personal user agent (Element 20, Figure 1) for a plurality of devices (such as member device agents 18, Figure 1) in a user domain (Element 22, Figure 1), the system comprising:

a)   an interface (Network Interface 54, Figure 5) facilitating communications; and

b)   a control system (CPU 46 and memory 48, Figure 5) associated with the interface and adapted to:

i)   register the plurality of devices that are in the user domain and associated with a user, each of the plurality of devices having a media capability (Specification, paragraphs 0008, 0020, 0031, and 0032; Figure 1); and

ii)   for an incoming call intended for the user:

A)   receive a session message on behalf of the user initiating the incoming call and identifying a first requested media capability to facilitate a media session for the incoming call (Specification, paragraphs 0008, 0025, 0026, 0033, 0040, and 0041; see also, Figure 3, step 100);

B)   select a first of the plurality of devices based on the first requested media capability (Specification, paragraphs 0007, 0025, 0026, 0034-0036 and 0041; Figure 3); and

C)   communicate with the first of the plurality of devices to establish the media session having the first requested media capability for the incoming call

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(Specification, paragraphs 0042 and 0043; see also, Figure 3, steps 102 and 110); and

iii)   represent each of the plurality of devices in the user domain as a single device having a plurality of media capabilities to devices outside of the user domain (Specification, paragraphs 0006, 0017, and 0023; Figure 1).

Independent claim 14 recites a computer readable medium having software (software 50, Figure 5) for providing a personal user agent (Element 20, Figure 1) for a plurality of devices (member device agents 18, Figure 1) in a user domain (user domain 22, Figure 1), the software comprising instructions for a computer to perform steps similar to those in claim 1. The relevant subject matter of the claim and the supporting cites to the specification and the drawings are the same for claim 14 as set forth above for claim 1.

Independent claim 27 is similar to claim 1, but is written in method format. The relevant subject matter of the claims and the supporting cites to the specification and drawings are the same for claim 27 as set forth above for claim 1.

Certain dependent claims have separate grounds for patentability. Claims 2-5, 15-18, and 28-31 relate to establishing a second media session having a second request media capability for the call with a second device. Support for these limitations may be found at paragraphs 0009, 0040-0048; Figure 3, steps 102, 108, 110, and 112; and Figure 4, steps 202, 204, 208, 210, 216, and 218.

(6) GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Claims 1-8, 10-21, 23-34, and 36-39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Gudjonsson et al. (hereinafter "Gudjonsson") in view of Kimchi et al. (hereinafter "Kimchi").

(7) ARGUMENT

A. Introduction

The Patent Office is improperly combining the references using hindsight to reconstruct the claimed invention using Appellant's disclosure as a template. In particular, the Patent Office has not provided any evidence to prove the motivation to combine the references, and the Patent Office is ignoring portions of the references which teach away from the combination.

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B. Summary of the References

1. U.S. Patent No. 6,564,261 to Gudjonsson

Gudjonsson provides users with a secure way of establishing communication sessions with other users or services. A network can broker communication services between two or more users 7 and/or services. A plurality of different clusters 1 of servers 3 is provided, and each of the clusters 1 may be linked together. Each cluster 1 includes multiple servers 3. Users 7 are registered within some specific cluster 1 and given a unique system/network ID. Messages are not sent directly between users 7, but instead through at least one intermediate routing service (RS) provided on a server 3 of one of the users 7. A user 7 may hide or mask his/her personal information from other users 7 even when communicating with them. A user 7 may establish a communication session with another user 7 without knowledge of the client device 11 being used by the other user 7, as the network arranges for communication sessions, web conferences, or web pages, between the users regardless of the client device 11 being used by the call user 7. Thus, Gudjonsson enables any of the above communications services between the user 7 without the initiating user having knowledge of whether the other user 7 is currently on-line via his/her PC or may be reached via pager or mobile phone. (See the Abstract of Gudjonsson). The routing logic used to route calls within Gudjonsson is based on the relative availability or location of the user. In particular, routing may be based on the content of the messages being routed, the time and date, the state of certain parts of the database, and the like. Routing profiles may take these parameters into consideration to establish different profiles for when the user is at work, home, or is on-line. (See Gudjonsson col. 23, lines 12-32).

2. U.S. Patent Application No. 2002/0147814 to Kimchi

Kimchi provides a capability of creating a "virtual" computer from individual input and output devices 702 and a remote computer 700. The individual input and output devices 702 communicate with the computer 700, and act as the input and output devices that control the computer 700. The input and output devices 702 and the computer 700 are connected to an IP-based network. The computer 700 runs applications and performs normal processing associated with a computer. Instead of having directly connected keyboards, mice, video displays, and the like, computer 700 remotely connects to these input and output devices 702 over the IP-based

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network to facilitate normal computer operation. (See Kimchi paragraph 75 and Figure 7). An advantage of Kimchi is to allow a single computer 700 to provide the processing for multiple sets of input and output devices 702. As such, multiple virtual computers may rely on the central processing capabilities of the computer 700 (Kimchi paragraph 76).

C. The Standards for Establishing Obviousness

Section 103(a) of the Patent Act provides the statutory basis for an obviousness rejection and reads as follows:

> A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Courts have interpreted 35 U.S.C. § 103(a) as being a question of law based on underlying facts. As the Federal Circuit stated:

> Obviousness is ultimately a determination of law based on underlying determinations of fact. These underlying factual determinations include: (1) the scope and content of the prior art; (2) the level of ordinary skill in the art; (3) the differences between the claimed invention and the prior art; and (4) the extent of any proffered objective indicia of nonobviousness.

Monarch Knitting Mach. Corp. v. Sulzer Morat GmBH, 139 F.3d 877, 881 (Fed. Cir. 1998) (internal citations omitted).

The burden is on the Patent Office to establish a *prima facie* case of obviousness. *In re Fine*, 837 F.3d 1071, 1074 (Fed. Cir. 1988). "To reach a proper conclusion under § 103, the decisionmaker must step backward in time and into the shoes worn by [a person having ordinary skill in the art] when the invention was unknown and just before it was made." *Id.* at 1073 (quoting *Panduit Corp. v. Dennison Mfg. Co.*, 810 F.2d 1561, 1566 (Fed. Cir. 1987) (paraphrase in *Fine*'s original text)). "One cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention." *In re Fine* at 1075.

The "case law makes clear that the best defense against the subtle but powerful attraction of a hindsight-based obviousness analysis is rigorous application of the requirement for a showing of the teaching or motivation to combine prior art references." *In re Dembiczak*, 175 F.3d 994, 999 (Fed. Cir. 1999). "Combining prior art references without evidence of such a

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suggestion, teaching, or motivation simply takes the inventor's disclosure as a blueprint for piecing together the prior art to defeat patentability – the essence of hindsight." *Ibid.*

> The Federal Circuit notes
>
> that evidence of a suggestion, teaching, or motivation to combine may flow from the prior art references themselves, the knowledge of one of ordinary skill in the art, or, in some cases, from the nature of the problem to be solves . . . The range of sources available, however, does not diminish the requirement for actual evidence. That is, the showing must be clear and particular. Broad conclusory statements regarding the teaching of multiple references, standing alone, are not "evidence."

Ibid (internal citations omitted). It is worth noting that the *Dembiczak* court specifically acknowledged *Fine*, but emphasized the requirement for actual evidence in proving the motivation to combine the references.

It is further worth noting that where the teachings of two or more prior art references conflict, the examiner must weigh the power of each reference to suggest solutions to one of ordinary skill in the art, considering the degree to which one reference might accurately discredit another. *In re Young*, 927 F.2d 588 (Fed. Cir. 1991); MPEP § 2143.01.

For a *prima facie* case of obviousness, the combination must teach or fairly suggest all the claim elements. *In re Royka*, 490 F.2d 981 (CCPA 1974); MPEP § 2143.03. If the Patent Office fails to establish obviousness, then the Appellant is entitled to a patent. *In re Glaug*, 283 F.3d 1335, 1338 (Fed. Cir. 2002).

D. Claims 1-8, 10-21, 23-34 and 36-39 Are Non-Obvious Because the Combination of References is Improper

Most inventions are combinations of known elements. One of the factors that makes an invention patentable is that there is no suggestion in the prior art to combine the known elements in the manner claimed. The Patent Office has the unenviable task of casting itself back to the time of the invention, examining the references, and determining if the invention was obvious to someone skilled in the art. The Patent Office is not allowed to rely on hindsight reconstruction or use Appellant's disclosure as a template to pick and choose elements from the prior art and reassemble Appellant's claimed invention. Rather, as the Federal Circuit has stated with unusual clarity, the Patent Office must prove, through actual evidence, that there is a motivation to

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combine the references. *In re Dembiczak*. The Patent Office is not free to ignore the instructions in *Dembiczak*, even though the MPEP has not been updated to reflect this decision.

The claimed invention provides a personal user agent, which represents multiple communication devices to other network entities as a single device. The personal user agent processes incoming messages intended to initiate a call to the user by selecting one or more of the multiple communication devices to facilitate the call. Notably, the selection of the communication device is based on the communication devices media capabilities. The personal user agent will then communicate with the selected communication device to establish a media session for the call. The media session will be established between the selected communication device and the calling party. For a multimedia call, different media sessions for the different media types may be established with different communication devices.

The Patent Office asserts that "[selecting] a first of the plurality of devices based on the first requested media capability" is disclosed Gudjonsson. In particular, the Patent Office states that "[t]he device is selected when the second client accepts the invitation." (Final Office Action page 6, lines 1-3). There are two aspects to this element: 1) selecting one of the plurality of devices AND 2) basing that selection on the requested media capability, which is required to facilitate the incoming call. The Patent Office has completely ignored the second aspect of basing that selection on the requested media capability. Just because Gudjonsson makes a routing decision between available devices, does not imply that the routing decision is based on a requested media capability for the call.

Gudjonsson is focused on establishing communication sessions among anonymous users. Calls may be routed throughout a network based on routing logic (Gudjonsson col. 24, line 56 through col. 25, line 5). In particular, the routing decisions of Gudjonsson may be based on "the contents of the message being routed, the time and date, the state of certain parts of the database, etc." (Gudjonsson col. 23, lines 17-20). A profile of the called party sets forth the routing logic, which dictates how the call should be routed to the called party. Different profiles may be established based on the user's location or availability. Gudjonsson provides exemplary profiles - "one routing profile for when the user is at work, one routing profile for when she is at home, one for when the user is on-line, etc." (Gudjonsson col. 23, lines 29-31).

Clearly, routing in Gudjonsson is based on the called parties desires or location in light of their profile. Routing is not based on a requested media capability as claimed by the Appellant.

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As such, Gudjonsson fails to teach or suggest an element recited in each of independent claims 1, 14, and 27. As indicated by the Patent Office, Kimchi does not teach or suggest such capability. For this reason, *prima facie* obviousness has not been shown.

The Patent Office admits that Gudjonsson fails to show "[representing] each of the plurality of devices in the user domain as a single device having a plurality of media capabilities to devices outside of the user domain." (Final Office Action page 6, lines 9-10). The Patent Office asserts that Kimchi discloses this element.

Kimchi provides a technique to remotely associate input and output devices, which are required for a computer, over a packet network to form a virtual computer. As such, the input and output devices provide their traditional functions and have sufficient communication capability to support a remote connection with a central computer. The input and output devices of Kimchi are not the communication devices of the claimed invention. Kimchi's input and output devices cannot establish media sessions for incoming calls; they merely facilitate input and output functions of a traditional computer remotely.

Further, the virtual computer of Kimchi does not "[represent a] plurality of devices as a single device having a plurality of media capabilities" to other communication devices. The devices of the present invention are communication devices that can establish a media session for a call. The devices of Kimchi are input or output devices of a computer. If anything, Kimchi represents a computer having certain input and output devices, but Kimchi does not represent the communication devices of the claimed invention. Gudjonsson fails to remedy this deficiency. As such, *prima facie* obviousness has not been show for independent claims 1, 14, and 27.

Even if all of the elements of independent claims 1, 14, and 27 where shown in the combination of Gudjonsson and Kimchi, there is no motivation to combine the references to arrive at the claimed invention. As noted, actual evidence of a motivation to combine the references must be provided. The Patent Office simply states that the "motivation for the using Kimchi's concept of managing physical devices in Gudjonsson's system is that [the] Kimchi system's ability to combine (via software) physical devices gives the combination a communication ability that is not afforded by individual devices alone." (Final Office Action page 6, lines 15-17). To show evidence, the Patent Office states that paragraphs 0072 and 0076 of Kimchi disclose a videophone having audio and video capabilities. (Advisory Action page 2, lines 8-9). These are merely conclusory statements void of actual evidence. The mention of

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videophones or any other devices created by a virtual computer is not actual evidence to combine the references. Actual evidence of motivation is required to show obviousness. To one of ordinary skill in the art, the claimed invention would not be readily apparent, or obvious, in light of Gudjonsson and Kimchi.

Even if a combination where appropriate, the resulting technology would not change the teachings of Gudjonsson, as they relate to the claimed invention. At best, any combination would lead to simply replacing the clients of Gudjonsson with a virtual computer of Kimchi. Such a combination would not change the functionality of Gudjonsson. If combined, the devices of the claimed invention would correlate to the clients of Gudjonsson. The input and output devices of Kimchi would simply be a part of a given client and would not represent the multiple available clients to which calls could be routed. In this context, it is clear that the input and output devices of Kimchi are merely computer peripherals and not communication devices capable of establishing a media session for a call. As such, the combination of Gudjonsson and Kimchi would fail to teach or suggest the claimed invention.

Certain dependent claims warrant special mention. Dependent claims 2-5, 15-18, and 28-31 relate to establishing a second media session having a second request media capability for the call with a second device. Neither Gudjonsson nor Kimchi disclose establishing different media sessions to support different media capabilities with different devices for a given call. Kimchi only teaches connecting input and output devices to a processor over a network connection. Gudjonsson never contemplates bifurcating aspects of a session to different clients. The combination of Kimchi and Gudjonsson would merely change the configuration of the client of Gudjonsson. The combination would not teach establishing different media sessions with different clients for a given call.

Based on the above, independent claims 1, 14, and 27 define patentable subject matter. The dependent claims, 2-8, 10-13, 15-21, 23-26, 28-34, and 36-39, further define the patentable subject matter of claims 1, 14, and 27. As such, all of the pending claims 1-8, 10-21, 23-34, and 36-39 are in condition for allowance.

E. Conclusion

Gudjonsson fails to teach selecting one of the plurality of devices based on the media capabilities required for an incoming call. The input and output devices of Kimchi are

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minimalist input and output devices merely employed to provide keyboard, display, mouse, and the like functionality for a virtual computer. Kimchi does not disclose representing the plurality of devices as a single device having the capabilities of each of the plurality of devices. As such, each of the elements of the claims are not taught by Gudjonsson or Kimchi, alone or in combination. Further, even if the combination of the references were appropriate, such combination would merely result in changing one of Gudjonsson's clients to be a virtual computer of Kimchi. The combination would still fail to teach the personal user agent of the present invention. Finally, the Patent Office has failed to provide any actual evidence to support a combination of Gudjonsson and Kimchi. For these reasons, Appellant requests that the Board reverse the Examiner and instruct the Examiner to allow the claims.

Respectfully submitted,
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Date: August 3, 2006
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(8) APPENDIX

1.   A system for providing a personal user agent for a plurality of devices in a user domain, the system comprising:

    a)   an interface facilitating communications; and

    b)   a control system associated with the interface and adapted to:

        i)   register the plurality of devices that are in the user domain and associated with a user, each of the plurality of devices having a media capability; and

        ii)   for an incoming call intended for the user:

            A)   receive a session message on behalf of the user initiating the incoming call and identifying a first requested media capability to facilitate a media session for the incoming call;

            B)   select a first of the plurality of devices based on the first requested media capability; and

            C)   communicate with the first of the plurality of devices to establish the media session having the first requested media capability for the incoming call; and

        iii)   represent each of the plurality of devices in the user domain as a single device having a plurality of media capabilities to devices outside of the user domain.

2.   The system of claim 1 wherein the control system is further adapted to:

    a)   determine that a second media session having a second requested media capability has been requested for the incoming call;

    b)   select a second of the plurality of devices based on the second requested media capability; and

    c)   communicate with the second of the plurality of devices to establish the second media session having the second requested media capability for the incoming call.

3.   The system of claim 2 wherein the session message initiating the incoming call identifies the second media session and the second requested media capability and the control system is further adapted to determine that the second media session having the second requested media capability has been requested for the incoming call based on the session message.

4.   The system of claim 2 wherein the session message initiating the incoming call identifies the second media session and the second requested media capability and the control system is further adapted to receive a session message initiating the second media session from the second of the plurality of media devices to determine that the second media session having the second requested media capability has been requested for the incoming call.

5.   The system of claim 2 wherein the control system is further adapted to receive a second session message associated with the incoming call and identifying the second media session to determine that the second media session having the second requested media capability has been requested for the incoming call.

6.   The system of claim 1 wherein, for an outgoing call initiated by the user, the control system is further adapted to:

        a)   receive a session message initiating the outgoing call from one of the plurality of devices; and

        b)   send a message corresponding to the session message to establish the media session for the outgoing call on behalf the user.

7.   The system of claim 6 wherein the control system is further adapted to:

        a)   determine that a second media session having a second requested media capability has been requested for the outgoing call; and

        b)   communicate with a second of the plurality of devices to establish the second media session having the second requested media capability for the outgoing call.

8.   The system of claim 7 wherein the control system is further adapted to select the second of the plurality of devices based on the second requested media capability.

10.   The system of claim 1 wherein the control system is further adapted to provide a single address for each of the plurality of devices in the user domain.

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11.   The system of claim 1 wherein the control system is further adapted to:

a)   provide a profile defining at least one combination of the plurality of devices to select for a call based on combinations of media capabilities requested for the call; and

b)   select the at least one combination of the plurality of devices for the call.

12.   The system of claim 1 wherein the control system is further adapted to:

a)   provide a profile defining at least one other of the plurality of devices to select when a call is initiated from one of the plurality of devices; and

b)   select the at least one other of the plurality of devices requested for the call.

13.   The system of claim 1 wherein the control system is further adapted to:

a)   determine that a second media session having a second requested media capability has been requested for the incoming call;

b)   select the first of the plurality of devices based on the second requested media capability; and

c)   communicate with the first of the plurality of devices to establish the second media session having the second requested media capability for the incoming call.

14.   A computer readable medium having software for providing a personal user agent for a plurality of devices in a user domain, the software comprising instructions for a computer to:

a)   register the plurality of devices that are in the user domain and associated with a user, each of the plurality of devices having a media capability; and

b)   for an incoming call intended for the user:

i)   receive a session message on behalf of the user initiating the incoming call and identifying a first requested media capability to facilitate a media session for the incoming call;

ii)   select a first of the plurality of devices based on the first requested media capability; and

iii)   communicate with the first of the plurality of devices to establish the media session having the first requested media capability for the incoming call; and

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c)   represent each of the plurality of devices in the user domain as a single device having a plurality of media capabilities to devices outside of the user domain.

15.   The computer readable medium of claim 14 further comprising instructions to:

a)   determine that a second media session having a second requested media capability has been requested for the incoming call;

b)   select a second of the plurality of devices based on the second requested media capability; and

c)   communicate with the second of the plurality of devices to establish the second media session having the second requested media capability for the incoming call.

16.   The computer readable medium of claim 15 wherein the session message initiating the incoming call identifies the second media session and the second requested media capability and further comprising instructions adapted to determine that the second media session having the second requested media capability has been requested for the incoming call based on the session message.

17.   The computer readable medium of claim 15 wherein the session message initiating the incoming call identifies the second media session and the second requested media capability and further comprising instructions to receive a session message initiating the second media session from the second of the plurality of media devices to determine that the second media session having the second requested media capability has been requested for the incoming call.

18.   The computer readable medium of claim 15 further comprising instructions to receive a second session message associated with the incoming call and identifying the second media session to determine that the second media session having the second requested media capability has been requested for the incoming call.

19.   The computer readable medium of claim 14 wherein, for an outgoing call initiated by the user, further comprising instructions to:

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a)   receive a session message initiating the outgoing call from one of the plurality of devices; and

b)   send a message corresponding to the session message to establish the media session for the outgoing call on behalf the user.

20.   The computer readable medium of claim 19 further comprising instructions to:

a)   determine that a second media session having a second requested media capability has been requested for the outgoing call; and

b)   communicate with a second of the plurality of devices to establish the second media session having the second requested media capability for the outgoing call.

21.   The computer readable medium of claim 20 further comprising instructions to select the second of the plurality of devices based on the second requested media capability.

23.   The computer readable medium of claim 14 further comprising instructions to provide a single address for each of the plurality of devices in the user domain.

24.   The computer readable medium of claim 14 further comprising instructions to:

a)   provide a profile defining at least one combination of the plurality of devices to select for a call based on combinations of media capabilities requested for the call; and

b)   select the at least one combination of the plurality of devices for the call.

25.   The computer readable medium of claim 14 further comprising instructions to:

a)   provide a profile defining at least one other of the plurality of devices to select when a call is initiated from one of the plurality of devices; and

b)   select the at least one other of the plurality of devices requested for the call.

26.   The computer readable medium of claim 14 further comprising instructions to:

a)   determine that a second media session having a second requested media capability has been requested for the incoming call;

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b)   select the first of the plurality of devices based on the second requested media capability; and

c)   communicate with the first of the plurality of devices to establish the second media session having the second requested media capability for the incoming call.

27.   A method for providing a personal user agent for a plurality of devices in a user domain comprising:

a)   registering the plurality of devices that are in the user domain and associated with a user, each of the plurality of devices having a media capability; and

b)   for an incoming call intended for the user:

i)   receiving a session message on behalf of the user initiating the incoming call and identifying a first requested media capability to facilitate a media session for the incoming call;

ii)   selecting a first of the plurality of devices based on the first requested media capability; and

iii)   communicating with the first of the plurality of devices to establish the media session having the first requested media capability for the incoming call; and

c)   representing each of the plurality of devices in the user domain as a single device having a plurality of media capabilities to devices outside of the user domain.

28.   The method of claim 27 further comprising:

a)   determining that a second media session having a second requested media capability has been requested for the incoming call;

b)   selecting a second of the plurality of devices based on the second requested media capability; and

c)   communicating with the second of the plurality of devices to establish the second media session having the second requested media capability for the incoming call.

29.   The method of claim 28 wherein the session message initiating the incoming call identifies the second media session and the second requested media capability and further

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comprising determining that the second media session having the second requested media capability has been requested for the incoming call based on the session message.

30.   The method of claim 28 wherein the session message initiating the incoming call identifies the second media session and the second requested media capability and further comprising receiving a session message initiating the second media session from the second of the plurality of media devices to determine that the second media session having the second requested media capability has been requested for the incoming call.

31.   The method of claim 28 further comprising receiving a second session message associated with the incoming call and identifying the second media session to determine that the second media session having the second requested media capability has been requested for the incoming call.

32.   The method of claim 27 further comprising, for an outgoing call initiated by the user:

       a)   receiving a session message initiating the outgoing call from one of the plurality of devices; and

       b)   sending a message corresponding to the session message to establish the media session for the outgoing call on behalf the user.

33.   The method of claim 32 further comprising:

       a)   determining that a second media session having a second requested media capability has been requested for the outgoing call; and

       b)   communicating with a second of the plurality of devices to establish the second media session having the second requested media capability for the outgoing call.

34.   The method of claim 33 further comprising selecting the second of the plurality of devices based on the second requested media capability.

36.   The method of claim 27 further comprising providing a single address for each of the plurality of devices in the user domain.

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37.   The method of claim 27 further comprising:

a)   providing a profile defining at least one combination of the plurality of devices to select for a call based on combinations of media capabilities requested for the call; and

b)   selecting the at least one combination of the plurality of devices for the call.

38.   The method of claim 27 further comprising:

a)   providing a profile defining at least one other of the plurality of devices to select when a call is initiated from one of the plurality of devices; and

b)   selecting the at least one other of the plurality of devices requested for the call.

39.   The method of claim 27 further comprising:

a)   determining that a second media session having a second requested media capability has been requested for the incoming call;

b)   selecting the first of the plurality of devices based on the second requested media capability; and

c)   communicating with the first of the plurality of devices to establish the second media session having the second requested media capability for the incoming call.

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(9) EVIDENCE APPENDIX

Appellant relies on no evidence, thus this appendix is not applicable.

(10) RELATED PROCEEDINGS APPENDIX

As there are no related proceedings, this appendix is not applicable.

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